

Application No.: 09/941,568Docket No.: 30012796-1 US (1509-215)**REMARKS**

Claim 13 has been amended to expedite prosecution. It is the understanding of the undersigned attorney for Applicants that the current PTO policy is that a computer program product is not patentable subject matter under 35 USC §101. Consequently, claim 13 has been amended to define a computer readable medium or storage device that stores a program for causing a computer arrangement to determine a right or obligation of a contract or agreement. A computer readable medium or storage device is an article of manufacture and is therefore eligible for patent protection under 35 USC §101.

Applicants traverse the rejection of claims 1-18 as being unpatentable over Conant et al. (U.S. Patent Publication 2002/0129056) in view of Ginter et al. (U.S. Patent Publication 2004/013793). The Office Action mischaracterizes each of independent claims 1 and 9-14 by implying that these claims have a requirement for receiving data representative of one or more events relative to a contract or agreement. In fact, each of the independent claims indicates the data are representative of one or more events representative of performance of at least one of the parties of one or more events relative to the contract or agreement. There is no allegation in the Office Action that Conant or the secondary reference to Ginter discloses the foregoing step or structure concerning performance of an event relevant to a contract or agreement. Consequently, the Office Action does not attempt to establish a *prima facie* case with regard to obviousness with regard to any of the independent claims. Further, Conant has nothing to do with performance of an event relative to a contract and is concerned solely with negotiation. Since the primary reference is completely unrelated to performance of a contract, the rejection of the independent claims is wrong.

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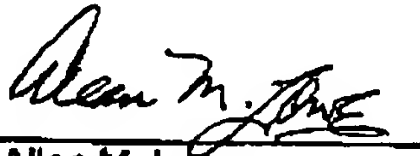
Dependent claims 2-8 and 15-18 are allowable, *inter alia*, for the same reasons advanced for the claims upon which they depend.

In view of the foregoing amendments and remarks, favorable reconsideration and allowance are respectfully requested and indeed in order.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.138 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-2025 and please credit any excess fees to such deposit account.

Respectfully submitted,

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